Amendments to the Drawings:

The attached sheets of drawing include changes to Fig. 8. This sheet replaces the original sheet including Figs. 8. In Figure 8, designator '282' designating the "shake" button has been changed from '282' to '283'.

Attachments: Replacement Sheet

Annotated Sheet Showing Changes

00270317

REMARKS

Favorable reconsideration of the application is respectfully requested in light of the amendments and remarks herein.

Upon entry of this amendment, claims 16-27 and 29-34 will be pending.

Objection to the Drawings

In Section 8 of the Office Action, the drawings stand objected to with respect to reference number "282" in Figure 8. Figure 8 has been amended to obviate this objection.

Accordingly, it is respectfully requested that this objection be withdrawn.

§ 103 Rejection of Claims 16-27 and 29-34

In Section 11 of the Office Action, claims 16-27 and 29-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Miller *et al*. (U.S. Patent No.5,801,685; hereinafter referred to as "Miller") in view of Abe (U.S. Patent No.6,714,216). This rejection is respectfully traversed.

The discussions in Section 11 of the Office Action do not address the relevant claims as amended but rather before they were amended. For example, although claim 29 had been amended to delete any reference to the corresponding step being performed at random, Section 11 of the Office Action discusses in length about how Abe discloses performing the corresponding step at random where Miller fails to disclose that fact.

Further, although Section 12 of the Office Action addresses how Miller discloses, in column 1, lines 11-21 and column 5, lines 26-50, corresponding data in a selected material clip

with special effects so that the plurality of scenes includes transitions between scenes with

special effects scenes, Miller fails to disclose these limitations of claim 29 or claim 16.

To address this point, the relevant passages of Miller, column 1, lines 11-21 and column

5, lines 26-50 are reproduced below:

"To create a video program, a program editor selects source material to be presented, and

determines the timing of scene changes For some video productions, such as live television news

broadcasts, the recorded video program is presented simultaneously with the reading of a textual

script by an announcer. Thus, in preparing a TV news story, a program news editor selects

recorded source material that will be broadcast in coordination with selected portions of the story

script being read. The timing of scene changes is thus preferably coordinated with specific points

in the script." *Miller, column 1, lines 11-21.*

"Updating of the EDL in response to a change in the script text is thus facilitated by the

use of an edit link table. Each entry in the edit link table links a control link sequence in the text

with an edit in the EDL. The edit link table entries also include the offset time from the

beginning of the text to the control link location of the video clip defined by the link edit When a

link control sequence is encountered during a scan of the text, the edit link table entry referred to

by the embedded control sequence is referenced. If the offset time stored in the edit link table is

different from the current calculated reading time, the edit link table entry offset time is set to the

current time, and the linked edit entry in the EDL is updated by adjusting the clip start time by

the difference between the previous offset time and the current time (to reflect changes in the

text). Otherwise, the scan proceeds without changing the edit table entry in the EDL. ... When a

change is made to the script text, to cause the start time of a video clip to be moved, the play-

time duration of the video clip corresponding to the edited text must also be updated. This can be

accomplished by either adding or deleting material from the clip, such as by adding video frames to increase the play-time duration or deleting frames to decrease the play-time duration, or by decreasing or increasing the playback speed of the video clip while keeping the same number of video frames." *Miller, column 5, lines 26-50.*

By contrast, embodiments of the present invention provide improved image editing. For example, the steps of method claim 29, as presented herein, includes:

"*selecting* a material clip from a plurality of material clips for automatic editing process;

storing scenario data configured into a plurality of scenes having timing information including start time of each scene of said plurality of scenes;

corresponding data in said selected material clip as editing objects to said each scene of said plurality of scenes;

corresponding data in said selected material clip as editing objects to said each scene of said plurality of scenes;

modifying said material clip with special effects so that said plurality of scenes includes transitions between scenes with special effects scenes; and

continuously reproducing said plurality of material clips on the basis of said scenario data."

(emphasis added)

It is respectfully submitted that Miller, in the above-stated passages (column 1, lines 11-21 and column 5, lines 26-50), fails to disclose "corresponding data in said selected material clip as editing objects to said each scene of said plurality of scenes; and modifying said material clip with special effects so that said plurality of scenes includes transitions between scenes with special effects scenes." Therefore, it is submitted that Miller fails to teach or suggest modifying the transitional material clip with special effects so that the plurality of scenes includes transitions between scenes with special effects scenes.

00270317

Abe was cited for disclosing that the data in video editing is animation data. Therefore, Miller and Abe, in combination or individually, fail to teach or suggest all the limitations of claim 29.

Based on the foregoing discussion , it is submitted that claim 29 should be allowable over Miller and Abe. Since claims 16 and 32 closely parallel, and include substantially similar limitations as recited in, claim 29, claims 16 and 32 should also be allowable over Miller and Abe. Further, since claims 17-27, 30-31, and 33-34 depend from claims 16, 29, and 32, respectively, claims 17-27, 30-31, and 33-34 should also be allowable over the combination of Miller and Abe.

Accordingly, it is submitted that the rejection of claims 16-27 and 29-34 based upon 35 U.S.C. §103(a) has been overcome by the present remarks and withdrawal thereof is respectfully requested.

Conclusion

In view of the foregoing, entry of this amendment, and the allowance of this application with claims 16-27 and 29-34 are respectfully solicited.

In regard to the claims amended herein and throughout the prosecution of this application, it is submitted that these claims, as originally presented, are patentably distinct over the prior art of record, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes that have been made to these claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicant is entitled.
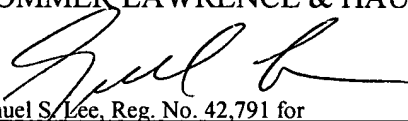
00270317

In the event that additional cooperation in this case may be helpful to complete its prosecution, the Examiner is cordially invited to contact Applicant's representative at the telephone number written below.

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By: Samuel S. Lee, Reg. No. 42,791 for
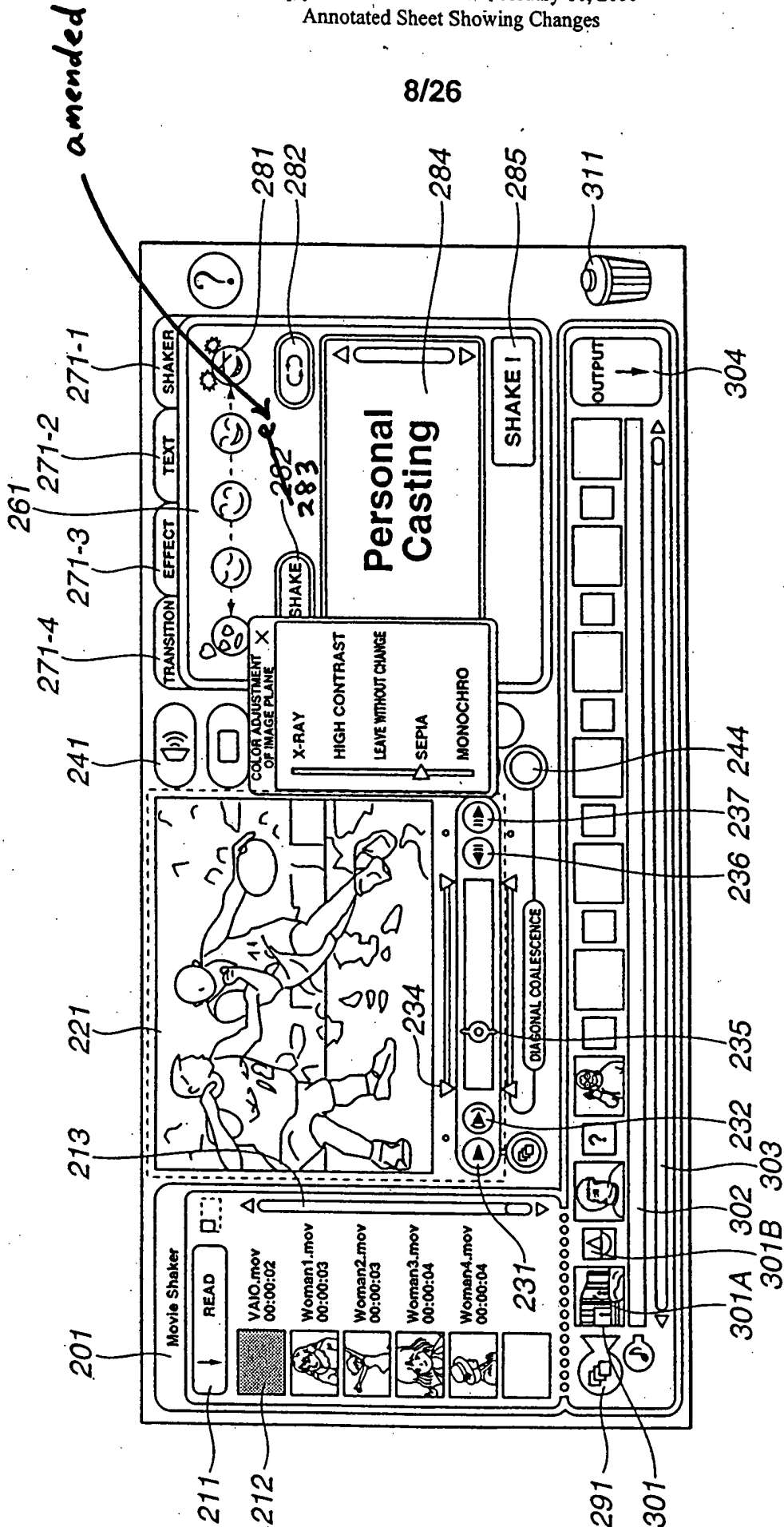William S. Frommer
Reg. No. 25,506
(212) 588-0800

Appl. No. 09/937,463
Reply to Office Action of February 10, 2005
Annotated Sheet Showing Changes

8/26

FIG.8

BEST AVAILABLE COPY